

PRODUCT: 6 1-quart bottles, 10 1-pint bottles, and 28 8-ounce bottles of *concentrated extract of alfalfa* at San Francisco, Calif. Examination showed that the product was a mixture of reducing sugars, citric acid, and a small quantity of plant extractions from roasted alfalfa.

LABEL, IN PART: (Bottle) "Lucerne Concentrated extract of Alfalfa with active principle of vitamin B₁₂ added * * * It is a Beverage Food Supplement * * * It furnishes minerals contained in Alfalfa * * * May Help to relieve fatigue."

NATURE OF CHARGE: Misbranding, Section 502 (a), the following statements on the label of the article and in an accompanying circular entitled "Lucerne (Lucerne is the Old World name for Alfalfa)" were false and misleading since the article supplied no demonstrable amount of B₁₂ and was not effective for the purposes, diseases, and conditions stated and implied: (Bottle label) "* * * Concentrated extract of Alfalfa with active principle of vitamin B₁₂ added * * * May Help to relieve fatigue" and (circular) "* * * concentrated extract of alfalfa with the active principle of vitamin B₁₂ * * * may act as an antifatigue, and as an analgesic. It may calm the nervous system and thus enable All-Wise Nature to aid in relief from such conditions as Rheumatism, Arthritis, Neurasthenia, Exhaustion and General Debility."

The article was alleged to be misbranded also under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: September 10, 1952. Default decree of condemnation and destruction.

3813. Misbranding of Growzon. U. S. v. Demetrios E. Condoyiannis (Growzon Laboratory). Plea of guilty. Fine of \$200 or imprisonment for 180 days. (F. D. C. No. 32715. Sample No. 24987-L.)

INFORMATION FILED: August 29, 1952, District of Columbia, against Demetrios E. Condoyiannis, trading as Growzon Laboratory, Washington, D. C.

ALLEGED SHIPMENT: On or about June 6, 1951, from the District of Columbia into the State of Pennsylvania.

LABEL, IN PART: "Growzon For Hair and Scalp * * * Active Ingredients: Viosterol, Vitamin D, Lemon Oil, White Mineral Oil, Glycerine, Magnesii Sulfas 8 Fl. Oz."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the label of the article and in a leaflet headed "Growzon's Message to You," which accompanied the article, were false and misleading. The statements represented and suggested that the article would be efficacious to prevent baldness and cause the growth of new hair and to combat scalp infections and disorders of the scalp, whereas the article would not be efficacious for such purposes.

DISPOSITION: September 30, 1952. A plea of guilty having been entered, the court sentenced the defendant to pay a fine of \$200 or serve 180 days in jail.

3814. Misbranding of Darrell's RD-5 Formula. U. S. v. 12 Bottles, etc. (F. D. C. No. 33351. Sample No. 14027-L.)

LIBEL FILED: July 29, 1952, District of Colorado.

ALLEGED SHIPMENT: On or about January 30 and June 12, 1952, by Darrell's RD-5 Products Co., from Salt Lake City, Utah.

PRODUCT: 12 16-ounce bottles, 29 8-ounce bottles, and 74 4-ounce bottles of *Darrell's RD-5 Formula* at Denver, Colo., together with a number of accom-

panying brochures headed "Darrell Foremost authority on hair and scalp care * * * asks * * * Are You One Of These?"

LABEL, IN PART: (Bottle) "Darrell's RD-5 Formula The Scientific Formula for Hair & Scalp Active Ingredients Liquid Carbonic Detergens (Coal Tar Derivative), Resorcinal, Alcohol 40%."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the accompanying brochures were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for scalp conditions associated with scaling, itching, and baldness, whereas the article was not an adequate and effective treatment for such conditions.

Further misbranding, Section 502 (e) (2), the article was fabricated from two or more ingredients, and its label failed to state the kind of alcohol present in the article and failed to bear the common or usual name of the ingredient listed as "Liquid Carbonic Detergens."

DISPOSITION: September 10, 1952. Default decree of condemnation and destruction.

3815. Misbranding of Marvel's hair and scalp conditioner. U. S. v. 112 Cartons
* * *. (F. D. C. No. 31932. Sample No. 16045-L.)

LIBEL FILED: October 23, 1951, Western District of Oklahoma.

ALLEGED SHIPMENT: On or about July 17 and September 20, 1951, by Marvel Industries, Inc., from San Antonio, Tex.

PRODUCT: 112 cartons, each containing 1 bottle, of *Marvel's hair and scalp conditioner* at Oklahoma City, Okla. Analysis showed that the product contained a lead salt, sulfur, alcohol, and a small proportion of quinine.

LABEL, IN PART: (Bottle) "Marvel's Nature Hair and Scalp Conditioner."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the article, namely, on the bottle and carton labels, in a folder entitled "Marvel's Nature's Hair and Scalp Conditioner is keeping hair healthy for thousands," and in a leaflet entitled "Facts you should know about Marvel," which were shipped with the article, were false and misleading. The statements represented and suggested that the article was effective to stop the falling of hair, to make new hair grow, to remedy premature baldness, to restore hair to its natural color, to cure dandruff, and to keep hair and scalp healthy and protect one from contagious hair and scalp diseases. The article was not effective for such purposes.

Further misbranding, Section 502 (e) (2), the article was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each active ingredient.

DISPOSITION: September 11, 1952. Marvel Industries, Inc., claimant, having filed a motion for dismissal of the libel and later having withdrawn its motion and consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling, under the supervision of the Food and Drug Administration.

3816. Misbranding of Glycolator devices. U. S. v. 12 Cases, etc. (F. D. C. No. 33321. Sample No. 38743-L.)

LIBEL FILED: June 27, 1952, District of Columbia.

ALLEGED SHIPMENT: On or about May 20, 1952, and subsequent dates, by the Pittsburgh Chemical Laboratory, from Mars, Pa.